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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/048,012	01/25/2002	Hiroaki Saei	33082R116	1344

7590 10/20/2004

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EXAMINER

BRAHAN, THOMAS J

ART UNIT PAPER NUMBER

3652

DATE MAILED: 10/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/048,012

Applicant(s)

SAEKI ET AL.

Examiner

Thomas J. Brahan

Art Unit

3652



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,6,7 and 9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4,6,7 and 9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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1. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. § 103, the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 C.F.R. § 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of potential 35 U.S.C. § 102(f) or (g) prior art under 35 U.S.C. § 103.

2. Claims 1, 7 and 9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Yoshida et al in view of Berner et al. Figure 4 of Yoshida et al shows the basic claimed transfer system for transferring an object to be processed out of a carrier which is provided on a top face of a load port unit and transfer the object, the transfer system comprising:

a system body (100);

a drive unit (32) which is provided to extend in lateral directions of the system body; and

a transfer robot (31) which is mounted on the drive unit and which is capable of linearly reciprocating in the longitudinal directions of the drive unit;

wherein the load port unit is mounted on the outside of a front wall of system body and the drive unit is mounted on the inside of the front wall of the system body.


Yoshida et al varies from the claims by not having the drive unit (32) as a linear motor. Figure 11 of Berner et al shows a similar transfer robot with a drive unit in the form of a linear motor mounted to a vertical wall surface. It would have been obvious to one of ordinary skill in the art at the time the invention was made by applicant to modify the transfer robot of Yoshida et al by having its drive unit as a linear motor mounted to a vertical wall surface, (which would be the front wall of Yoshida et al), for compactness, as taught by Berner et al.

3. Claims 2 and 3 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Yoshida et al in view of Berner et al, as applied above to claim 1, and further in view of Akimoto. Yoshida et al, as modified, shows the basic claimed system body with a front wall with a load lock and a transfer robot, but varies from the claims by not showing a clear air system of the system body. Figure 3 of Akimoto et al shows a similar system body with a transfer robot mounted on a drive unit and including upper and lower fan systems. It would have been obvious to one of ordinary skill in the art at the time the invention was made by applicant to provide the transfer robot of Yoshida et al with clean air supply system and an exhaust fan system, to eliminate particles in the room, as taught by Akimoto et al.

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4. Claims 4 and 6, as best understood, are rejected under 35 U.S.C. § 103(a) as being unpatentable over Yoshida et al, as applied above to claim 1, and further in view of Ito. Yoshida et al, as modified, shows the basic claimed system body with a front wall with a load lock and a transfer robot. It varies from the claims as the linear motor is not disclosed as having a brake. Ito shows a similar drive system with a brake system, see column 6, lines 19-59. It would have been obvious to one of ordinary skill in the art to modify the linear drive unit of Yoshida et al with brake system, for stopping the linear motion of the convey robot upon power loss and when otherwise desired, as taught Ito.

5. Applicant's remarks in the amendment after final (entered with the RCE) have been considered, but are deemed moot in view of the above new rejections. An inquiry concerning this communication should be directed to Thomas J. Brahan at telephone number (703) 308-2568. The examiner's supervisor, Ms. Eileen Lillis, can be reached at (703) 308-3248. The fax number for all patent applications is (703) 872-9306.


Thomas J. Brahan
Primary Examiner
Art Unit 3652